

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

March 24, 2014

7:00 p.m.

Present: Kevin Tanski
Andy Celcherts
Katie Gallagher
Tony DeMarco
Ron Van Kirk
Kathy Pucci
Mary Albier

Absent: None

Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION by Tanski, second by Celcherts to approve the minutes from the meeting of February 24, 2014.
VOTE RESULTED: *Approve:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Albier. No: None. (***APPROVED***)

President Gallagher, on behalf of Council, expressed condolences to the family of Dolores Scarano, who owned a dress shop in Brooklyn for many years; whose late husband Frank was the Finance Director for our city from 1968 until 1995. Council met on March 18th for a special Council meeting and passed Ord. 2014-18 by emergency, authorizing the Mayor to enter into an agreement with Civil and Environmental Consultants Inc. to provide engineering support for the sanitary landfill in the estimated amount of \$30,000. The city was given seven orders by the EPA for the closure of the landfill and CEC will provide services to help complete four of those orders. After the special meeting, the Public Works Committee met and selected Councilman Celcherts as their chair. (The other members are Councilmen DeMarco and Tanski. Then Council had a budget work session with the Mayor and his administration to discuss the 2014 permanent budget which is up for passage tonight. The final budget is approximately \$4,748,000 more than the 2014 temporary appropriation. She will review the significant changes from the original permanent later in the meeting. Councilwoman Pucci will go over specific capital items during her Finance report. New personnel additions approved during the budget work session include 3 new Police Officers, 1 full time maintenance worker at the Recreation Center, a new laborer, and a seasonal secretary in the Service Garage. Each Director submitted supporting evidence for his or her personal request. Everyone was shocked to read information provided by Police Chief Mielke, which she has his permission to share, because it made clearer to Council our need to increase our safety forces. The Chief's report showed that in 1976 our city had 31 Police Officers, and during that year handled 8,400 calls and made 323 misdemeanor arrests and 21 felony arrests. In 2013, the Police Dept. had one less Police Officer than in 1976 and handled 22,245 calls and made 1,688 misdemeanor arrests and 111 felony arrests. Our officers are doing a great job right now with the limited resources, but it's clear they need more help. Thank you Chief Mielke for such a thorough report. There are seven ordinances on the agenda, two new. The first new one, 2014-19, allows the Mayor to enter into a service agreement with Bailey Communications to provide computer networking and support; the price is \$49,182.60 for the year, a \$2,342 increase from 2013. The second new one, 2014-22, authorizes the Service Dept. to purchase a Vac-All for \$239,166; allocated as part of the budget this year. The Public Works Chair will give some more information on the vehicle. At the end of the meeting Council will adjourn into executive session to discuss the sale of public property and a matter relating to personnel. When we reconvene there will be no further business.

PUBLIC SESSION:

Tom Adamski of 9625 Melody Lane, thanked people for thoughts and prayers during his recovery from surgeries. He went to the Public Safety Mtg. that was held and was impressed with the presentation/presenter, and thanked Councilman Van Kirk and the Committee. He went into lengthy discussion about the speeding of cars along Idlewood and Southwood Ave., accidents, drivers and their

responsibilities. He reiterated that he believes that mobile cameras should be the answer. He also gave his suggestions about how an emergency vehicle could get through the traffic on Ridge Rd. due to construction and his witnessing of the difficulty they encountered recently. He read a letter from the local VFW Post 7727, which he is a member of, and informed the public that the Post will be closing; also thanking the Post Commanders for their services. Mentioned the 'pot hole killer' mentioned in the news lately. He also spoke of a free prescription drug plan that is available (CAP, Community Assistance Program).

Carl Etheridge of 4137 Rabbit Run Drive, said he is in support of the upcoming school levy and wants Council, our elected officials, to also be in support of the levy, and people need to see that support. He stated that a strong school system is one of the best things for Brooklyn. He recited a speech given by Abraham Lincoln that reflects the situation we are facing with the renewal levy. He is asking for Council and residents not to jeopardize the education of our current and future children by not supporting this levy, and to unite and support this. Asked everyone to please vote yes on Issue 2 on May 6th.

Earl Bloam of 4720 Forest Edge Drive, said he is in support of the upcoming school levy and encourages everyone to also support it. There is no increase in taxes. The children are the most important entity in the city. He commented on the reality of how state funding of schools keeps forcing school districts to ask residents for funding through levies. He said if the levy does not pass significant cuts will have to be made such as personnel, music programs, arts, and sports. He would like to know why Council tabled the resolution that was in support of the upcoming school levy. He urges Council to step up to the plate and show their leadership by supporting our school and upcoming levy. Encourages everyone to support the levy and the children.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Councilwoman Pucci): stated the Committee met before Council mtg. and the Council had their final budget mtg. March 18th. She reviewed and summarized what Council agreed to regarding the hiring and capital expenditures. Regarding personnel, 3 police officers; the Fire Dept., not budgeting any at this time, but we have applied for a grant that could fund additional fire fighters; Rec Center, one maintenance; Service Dept., one laborer, five part-time seasonal employees with the provision of keeping three of them through the end of the year. We recognize we have to do a better job of upkeep relating to our property and also some beautification efforts. There was a request for an additional secretary to assist in the Service Dept., and because the work load is so seasonal we suggested that we instead look at hiring a part time seasonal person to assist in the peak months. Will look at overtime in all depts. to determine the financial tipping point between paying for overtime and hiring additional personnel. Will pay down 20% on the bond anticipation note this year, in line with the agreement that we made last year, keeping us on track to have it paid off within five years. Capital expenditures not currently listed: the new engine for the Fire Dept. (process already begun, but not included it in this year's budget because it won't be paid for it's ready in 2015); turn out gear for the Fire Dept., (waiting on a grant so it can't be included it in the budget, but regardless if we get the grant or not we'll purchase some this year; vehicle(s) for the Fire Dept. (also may be able to cycle down another vehicle, and look at what we currently have, and will have after purchases). The existing lease expenditures for the tower truck, Rec Dept. HVAC, and windows is \$347,000. After that the following was agreed to: Police vehicles \$150,000; equipment \$100,000; recycle truck/cans lease (dependent upon a grant); Vac-all truck; exhaust system for garage; fire alarm for garage; spreader, and plow hitch. Senior Center will have Bocci Ball improvements (including overhead cover). Rec Center will have \$350,000 worth of building improvements. City Hall will have ramp and carpet improvements, vehicles, Historical Society parking lot; and approximately \$1.2M in local street improvements (half paid from Construction and Maintenance Fund). Finance Committee mtgs. always open to the public, regularly at 6:30 prior to the regular Council meetings, or posted when at a different time. She will meet with Dir. Enovitch and work on monthly reporting that she will take back to Finance Committee members and Council so that we can get back on track.

Public Safety and Environmental Comm. (Councilman Van Kirk): said the Committee met last Thursday to discuss the speeding problem on Idlewood, in the Southwood. Residents spoke on concerns and gave opinions. Thanked everyone who attended the meeting. There was much good dialogue. Thanked Chief Mielke and Safety Director for attending and giving insight. The firm OptiTraffic offered a solution. If we work together we'll come up with a solution that will make Brooklyn safer. He will continue working with

Chief Mielke on this issue. There will be another meeting to continue discussions for solutions; when scheduled it will be posted on the city's web site and announced at Council meetings. Asked residents with concerns or ideas about safety to contact him at 216-965-5737. A solution should be made that is best for Brooklyn without the assistance of any Legislature in Columbus, and vital the responsibility stays within the city.

Recreation Board (Councilman Tanski): said soccer enrollment has been extended to March 26th. The next Board meeting will be April 21st at 7pm in the Mayors Court.

School Board (Councilman Celcherts): said that the school had a pre-demolition walk thru of the vocational wing at the high school and was attended by many. The Board of Education held their regular monthly mtg. on March 18th. There were numerous student achievement presentations including art education and athletics. Reminded residents that on April 5th the second annual spaghetti dinner for the renewal levy will be take place at the high school. There is a possible work session of the Board on April 7th, check first. Said there will be a blood drive in April at the high school. Reminded about the May election and the renewal levy. Spoke about the winter scholastic athletic award winners. The Board has approved a bid for renovations at the athletic complex. The Brooklyn Chamber of Commerce has their scholarship application. Deadline of April 5th.

Domestic Abuse Commission (Katie Gallagher): said the Commission had a mtg. scheduled for March 12th which was cancelled because of the snow storm.

Planning Commission (Katie Gallagher): said the Commission will meet April 3rd at 6pm in the conference room: request from Ruff Neon and Lighting Maintenance, Inc. to place additional illuminated sign on the existing free standing multiple sign panel for the identification of Ridge Park Square businesses located at 4768 Ridge Road. It includes a sign for Ashley Furniture and Lowes; second request from Be Next Awnings and Graphics Inc. to place a new illuminated pole signage and canopy signage located at 4295 Tiedeman for business identification of Sunoco; request from TDA Architecture for 107,000 sq. foot new building construction of the middle/elementary school located at 9200 Biddulph Road, a follow up from the original mtg. to talk about the fence around the detention basin and the traffic study that was requested by the Planning Commission.

REPORTS OF COUNCIL:

Kevin Tanski: said that there was a Safety mtg. on March 20th about traffic cameras on Idlewood and other sites. The traffic camera issue has been controversial throughout many cities in Ohio. Stated he is opposed to any camera light and does not want our city to become infected like East Cleveland and Cleveland. The residents that attended the meeting had questions and concerns. Believes cameras in Ohio will eventually be outlawed; and if it becomes legal issue or a constitutional battle, then the people of Ohio should vote on a state wide election. It's a controversial topic. Senate Bill 5 is example of that. Reminded it's not too late to register for the Summer Youth Employment Program, www.youthopportunities.org, closing on April 4th.

Andy Celcherts: On Agenda is Ord.2014-20 for purchase of a Vac-All sweeper, requested as emergency due to significant savings. (reviewed costs) He'll be calling for Public Works Committee meetings for several items: gathering information for a new snow plow and to look what roads will be worked on in 2015, streamlining the process. He attended a focus group meeting that consisted of high school students who expressed their concerns. He's going to meet with Superintendent Walker on what he observed before reporting on it. There were some good comments from students. There is another focus group on March 28th where a number of young professional residents have been invited for their prospective on the city. He is going to have a meeting with Dir. Verba and another person to get an idea and some estimates for lighting at the Service Garage which is desperately needed.

President Gallagher said that Councilman Celcherts mentioned the streets, and those scheduled for this year are: Rodoan (south), Bentwood (north and south), and Outlook (north and south).

Tony DeMarco: Thanked Mr. Bloam and Mr. Etheridge for their comments regarding the support of the school levy. He's been clear where he stands on it. He said he and Councilwoman Pucci that were in support

of the resolution (it was incorrectly stated Mrs. Coyne). There will be a fish fry at the Senior Center on April 4th from 5-8 p.m., advanced tickets from the Center at 635-4222. He commented on Ord. 2014-10 that he will not be supporting it for many reasons, one of which is that our spending will be up estimated \$4,748,164 this year. Our artificially resident approved tax rate is giving some a false sense of security and creating complacency when it comes to economic development. The budget being asked to approve addresses some immediate needs, but not future issues that he's been talking about for several years. The future of Brooklyn is today, so everyone deserves more from the elected officials and should demanding real solutions to the issues facing our city. Don't sit back and accept what is being said and done; challenge Council to do better. This is your city.

Ron Van Kirk: Said the Safety meeting was here to offer solutions to a problem that was presented to the Safety Committee. They met and he offered a solution. He encourages any resident or Councilperson who has any legal ideas to present them, to present them. There is a stigma with cameras, he understands that. There's always concerns when new technology comes out, as in the past with controlling traffic with stop lights. Technology can be used to make the city safer. He will defer to the Chief when it comes to issues of safety; that is what he does. He will be working with him to try to offer a solution to a problem, and if that does not involve mobile cameras then so be it. We're trying to make the residents safe. As for the Legislature, he's a firm supporter in Home Rule, Article 18 of the Ohio Constitution. If we (Chief, Administration) decide mobile cameras are the solution, we can make that decision. If state legislation is passed it could challenged and overturned by the Ohio Supreme Court for violation of Home Rule. Please call him for any question or to discuss this. He will be voting in favor of passing the budget. He does not necessarily agree with all the increased spending, but a lot has to do with capital purchases for equipment that is needed. The garage has been working with old and run down equipment due to lack of funds, and funds are now available, so to keep up with services, new equipment must be purchased. Also the increase in payroll is because of the three new Police Officers; and other personnel is for better services for the city. He is pleased that even with all the purchases being made, we will have about \$1.8 million left in the capital budget for next year. He thanked Dir. Enovitch and staff for all their hard work on the budget. He met with Dir. Enovitch and the Mayor and expressed his concerns, and they both spent time answering questions and explaining different areas. Everything wasn't agreed on, and that's fine, but that's how a republic works. Dir. Enovitch offered great ideas on how capital expenditures are made in the future, and getting the committees more involved. He's confident that this is a good budget even if he doesn't agree with everything in it. He's confident that we will make headway replacing the revenue we will lose with American Greetings.

Kathy Pucci: Offered her personal condolences to the Scarano family on the passing of Mrs. Dolores Scarano. They were not just long time residents but long time residents devoted to our community. In addition to being our Finance Director, Mr. Scarano was also the Clerk of Council, and for a short time Safety Director. She was honored to have Mr. Scarano administer her oath of office several times. She had complaints relating to the water outages and talked to and thanked Dir. Verba for the explanation. As they prepare for the next section of construction on Ridge Road, the Water Dept. has to make alterations to the height of where the water lines are, so they're going street by street, the first being Glencoe, which went off without a hitch. Those residents were notified ahead of time that the outage was going to be during an overnight period; however when they got to Traymore they encountered a problem that caused them to shut off the water to 30 additional homes that were not notified. She asked Dir. Verba as we go through each street if he could ask the Water Dept. to not only notify the homes that know for sure will be impacted but an additional notice or something on the notice to the other homes that might be impacted. Thanked everyone who spoke. Councilman DeMarco clarified she was the member of Council that introduced the resolution of support for the school renewal. She's on record as supporting the renewal levy, and recognizes the role that a strong school system plays as being part of a strong community. If interested in voting by mail, you must call them and have them send you one, or go to the various public locations and get an application and send it in. It won't be sent automatically. They are available at City Hall, Senior Center, and the library. She attended the school district council meeting, and thanked Supt. Walker. The primary focus of the meeting was an update on the construction project. Said there was an article in the paper regarding the proposal to reduce the municipal tax rate, she clarified her position that she supports reducing the income tax rate. She put it in writing to all the residents during her 2011 campaign. But it needs to be done under certain conditions. The first scenario, preferably, is to establish a comprehensive economic development plan to attract desirable employers to our city along with a method and timeline to execute the plan. A couple of years ago I established a Strategic Planning Committee that all of Council participated in, with a main goal to develop a plan for how to replace the jobs we'll lose when American Greetings leaves. There was a majority of Council

who supported a more proactive approach, but they weren't on the same page as the administration, so not able to accomplish anything. Second scenario is reduce the income tax once the budget is stabilized, after determining the revenue we'll receive from American Greetings' properties. She understands the economic development benefits of reducing the rate; however, without a plan in place she doesn't think it would produce the desired benefit.

Mary Albier: She participated in the Friends of Big Creek St. Pats weekend hike on March 15th, along with Councilman Celcherts and President Gallagher, exploring Brooklyn's Oxbow (wetlands and woodlands), the area behind the Fire Station, also known as the 'Kingdom.' It's a hidden treasure. Brooklyn is one of the Big Creek watershed cities, which is an area of land that drains into a waterway. Maintaining a healthy watershed is vital for a clean environment. She went into a discussion about how to maintain healthy watershed. She said the Brooklyn watershed is full of all types of wildlife, including amphibians, fox dens and wild turkey. Friends of Big Creek will be sponsoring a watershed clean up on May 31st behind the Fire Station, clean-up items provided. More info at 216-661-7706. She discussed the Safety meeting that took place and explained the main concern was the traffic on Idlewood and Southwood. Also discussed were possible cameras. The turnout for the meeting was poor, even though flyers were distributed to every house on those streets. Any questions or concerns relating to the topic, contact her or Councilmembers Tanski, Celcherts or Van Kirk and give input. She said she is hoping the City of Brooklyn could start a farmers market, which are in many neighboring cities. It gives people an opportunity to purchase fresh produce from local growers. She also welcomes opinions and ideas pertaining to this, and can be reached at 351-3776. She thanked Director Enovitch for his hard work during the budget process. She appreciates all his ideas and hard work, adding we are lucky to have fine Finance Director.

Katie Gallagher: Commented that she is Councilwoman Albier's biggest advocate for a farmers market. She also attended the school district council meeting, and it seems that the school is moving along under a very tight construction time line. They hope to have the demolition/construction complete by the 2015-2016 school year. On Thursday she will be moderating the young professional's focus group for the marketing steering committee. If interested, e-mail her at kagallagher@brooklynohio.gov, or call 469-2561. She wanted to comment on the budget before the vote. She realizes that the staff levels are lower than the past but she feels we need to take a hard look some of the departments before we hire. She stresses that she is not saying that our employees are not busy, and don't misinterpret that; but we need to look at each job in the most efficient and effective manner that utilizes technology more. We can eliminate duplicated work or streamlining processes to eliminate needless steps.

MAYOR'S REPORT:

Mayor Albier: Reminds everyone of the 'Heroin in the Suburbs' taking place on April 30th at 7 p.m. at the Brooklyn Library. On Wednesday he was invited to Positively Cleveland at the Cleveland Convention Center and they had a marketing company there that is suppose to market Cleveland to the United States to draw visitors here. The speaker said the people in Cleveland do not realize what we have here, such as all 3 professional sports teams, world known orchestra, world class restaurants/chefs, Lake Erie, Rock & Roll Hall of Fame, museums, the Convention Center, Westside Market, Casino, world class hospitals and the list goes on and on. They viewed various advertising videos. The Rec Center submitted their annual report; they took in \$596,593 through the gate and various other programs and fees. The Cuyahoga County Board of Health turned in their annual report for Brooklyn, and it's available at City Hall Reception desk. Municipal income tax due date is April 15th. He is 100% behind the school levy, repeating you need a successful school to have a successful city.

DIRECTORS REPORTS:

Finance Dir. Enovitch: Extended his appreciation to Council, the Mayor, and staff for their patience and support in the budget process. His take away was collaboration can lead to success, and the work session is a great example of that. He looks forward to that as we continue through this administration and Council relationship. He has heard some numbers kicked around, and wanted to clarify a few things. He might have misled on the basis for the budget numbers, which began with the temporary budget, introduced back in November. He called it the cornerstone which would start it. It didn't include any Capital expenditures. So

out of the multiple spreadsheets that were reviewed, if it was used as a basis to go off this year's budget, he apologizes. He shared some numbers he came up with. The actual total budget for this year is \$25,448,969. Compare it to the final appropriation for last year, it was \$24,444,473. Out of the General Fund, the difference is about \$1,004,496. Your budget increase from last year's budget to this year's budget is about \$1 million. More specifically the fund that runs the city, where we have salary and wages and general fund, last year Council appropriated \$16,145,460.81. That was the final General Fund appropriation. This year we're asking for an appropriation of \$16,520,055.16, a \$374,575 increase, about 2%. So, collaboration led to success, and we were able to work our General Fund to only a 2% increase and get the resources that we were driving for. He apologized again for any the basis of any of the numbers that we had. To keep consistent with what he always reports: year to date revenues are \$4,412,959; General Fund expensive for the same period, \$3,618,519; total cash balance, \$22,474,037. He personally thanked JoAnn Haig for being a tremendous support since he came on board. He's experienced frustration sometimes, which then his personality sometimes leads to outbursts; but the Mayor and Council never realized that JoAnn kept me straight. He appreciates that.

REQUEST:

Liquor Permit request from St. Theodosius Ridge Manor for beer only. **MOTION** by Pucci second by Tanski for a position of no objection. **VOTE RESULTED:** *No Objection:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Pucci, Balbier. Abstain: Van Kirk. No: None. **(NO OBJECTION)**

LEGISLATION:

ORDINANCE 2014-10, Annual Appropriations. Appropriations for the current and other expenditures of the City of Brooklyn, State of Ohio, for the period of January 1, 2014 to December 31, 2014. It will first be amended because of numerous changes from the original, also revisions after the second reading. Council Rules require that we either extend it another reading or vote to suspend the rules, which will be done to adopt it under the emergency clause. **MOTION** by Gallagher, second by Pucci to amend Ord. 2014-10, to include changes in capital items in the Fire Dept. (from \$600,000 to zero), from the General Capital (increased from \$10,000 to \$260,000), the Rec. Center (increased from \$150,000 to \$350,000), and Service Dept. (increased from \$344,084 to \$839,000). After modifications the overall capital improvement budget was revised from \$2,697,084 to \$2,686,084. Total General Fund expenditures was amended (\$15,947,803 to \$16,520,066.16), additional \$110,000 transferred from the General Fund to Bond Retirement (total of \$290,000), to reflect change from 10% principal and interest reduction for outstanding notes (to a 20% reduction.) Total appropriations for all funds and expenses was amended from \$24,194,937.42 to \$25,448,969.37. These are just the basics. There are a lot of details, if anyone wants the specific ordinance call the Finance Dept. or City Hall to get a copy. **VOTE RESULTED:** *Amend:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: DeMarco. **MOTION** by Van Kirk second by Pucci to suspend the rules, as amended. **VOTE RESULTED:** *Suspend the Rules:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. *To Adopt, as amended:* Yes: Tanski, Celcherts, Gallagher, Van Kirk, Pucci, Balbier. No: DeMarco **(ADOPTED)**

ORDINANCE 2014-12, Determining the gross receipts from the Brooklyn Municipal Income Tax to be deposited into the General, Capital Improvement, Termination Leave Payments and Retrospective Medical Claims Funds. **MOTION** by Gallagher, second by Pucci to amend Ord. 2014-12 amend Section 1 to read: "Effective April 1, 2014 it is hear by determined to deposit 84% of the annual gross receipts of the Brooklyn Municipal Income Tax into the General Fund, 15% into the Capital Improvement Fund, 1% into the Termination Leave Payments Fund, and 0% into the Retrospective Medical Claims Fund. **VOTE RESULTED:** *To Amend:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None. **MOTION** by Pucci, second by Van Kirk to suspend the rules, as amended. **VOTE RESULTED:** *Suspend the Rules:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. *To Adopt, as amended:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None **(ADOPTED)**

ORDINANCE 2014-13, Enacting Section 1371, "Entering of adjoining of property; Damage" and adding to Chapter 13, Title 3 Building Code of the Brooklyn Codified Ordinances. Permits residents to enter the neighbor's yard with prior notice to make repairs to their own property when it's reasonably necessary.

MOTION by Tanski, second by Celcherts to approve. **VOTE RESULTED:** *To Adopt:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None. **(ADOPTED)**

ORDINANCE 2014-15, Amending Section 4 of Ordinance 2010-26 Entitled, "Establishing the general admission rates at the John M. Coyne Recreation Center and Natatorium." This is for changes to monthly passes (\$35 adults, \$60 husband/wife, \$70 family, \$45 single parent family, \$20 senior, \$30 corporate) **(SECOND READING)**

ORDINANCE 2014-17, Amending Section 541.15, "Deposit of Snow" of Chapter 541 Property Offenses of the Brooklyn Codified Ordinances. Councilwoman Pucci said there was discussion about this at the last Council meeting and she did speak to Councilman Tanski about this. She motions to amend as follows: Section A, insert "other properties" to read "Landscaping of any other property"; striking the sentence "City snow plow operations are exempt from this section"; add B which would read "No person, company, contractor or private snow removal company removing snow from any driveway or sidewalk within the city shall deposit the same on the pavement or sidewalk of any public street or on any tree lawn in any public street except the tree lawn immediately in front of the premises from which the snow is removed"; then B would C. She also spoke to Comm. Fitzgerald about it, because if kept as the proposed amendment how stated, we will have the ability to address someone putting snow on private property, but lose the ability to enforce them putting snow on public property. We want to keep the ability for residents to put snow from their property on to the tree lawn in front their home. **MOTION** by Pucci, second by Gallagher to amend Ord. 2014-17 as stated. **VOTE RESULTED:** *To Amend:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None. **(SECOND READING)**

ORDINANCE 2014-19, Authorizing the Mayor enter to enter into a service agreement renewal with Bailey Communications, Inc. to provide maintenance of network, software support, and other related services for the City of Brooklyn. **MOTION** by Pucci, second by Van Kirk to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None. *To Adopt:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None **(ADOPTED)**

ORDINANCE 2014-20, Authorizing the purchase of one Vac-All Street Sweeper 2012 Freightliner Cab and Chassis and associated equipment from Best Equipment in the amount of \$239,166. **MOTION** by Pucci, second by Celcherts to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None. Councilman Van Kirk wanted to clarify to residents this is being passed by emergency as it already budgeted for; but Dir. Verba came into one ready to go that we could purchase and put into use immediately. *To Adopt:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None **(ADOPTED)**

Chief Zemek wanted to respond to Mr. Adamski question from the public session. He does not know the particulars or if there was a delay with the Emergency Medical Vehicle due to construction on Ridge Road. He will look at the runs for that day. State law states that with lights and sirens going, emergency vehicles can only pass to the left of any vehicle; to go to the right would be suicidal, because at the last minute the operator of the other vehicle can all of sudden pull to the right. If they can avoid the construction zone during an emergency run, they do. If a call occurs in the vicinity, they just will be very cautious, in case the emergency vehicle does need to go left of center.

President Gallagher reminded that no action will be taken after Council reconvenes after the executive session.

MOTION by Gallagher, second by Pucci to adjourn to executive session relating to the sale of public property, with the Mayor, Finance Dir., Building Comm., Law Director, and Economic Development Dir. **VOTE RESULTED:** *Adjourn to Executive Session:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None. **MOTION** by Gallagher, second by Pucci to adjourn to executive session regarding a matter of personnel, with the Mayor and Law Director. **VOTE RESULTED:** *Adjourn to Executive Session:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

MOTION by Van Kirk second by Gallagher to reconvene. **VOTE RESULTED:** *Reconvene:* Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None. **(RECONVENED)**

There being no further business, **MOTION** by Pucci, second by Van Kirk to adjourn. **VOTE RESULTED:**
Adjourn: Yes: Tanski, Celcherts, Gallagher, DeMarco, Van Kirk, Pucci, Balbier. No: None. **(ADJOURNED)**

Asst. Clerk of Council (Acting)

President of Council